

## **REMARKS/ARGUMENTS**

### **Amendments to the Claims**

Claim 1 has been amended to add certain limitations supported by claims 5-6 and  
pertinent description in the specification. In addition, the common reading variables are  
5 defined to be stored in a first area of the variable memory, and other variables are defined to  
be stored in a second area of the variable memory. These limitations are fully supported by  
specification paragraph [0015] of applicant's disclosure. Furthermore, some terms "type of  
the data," "reading variables" and "initial address" have been amended to read "type of the  
disk," "variables" and "address" respectively. Claims 2 – 5 have been amended due to  
10 amendments made to claim 1. Similarly, based on above-mentioned amendments made to  
claims 1 – 5, claims 8 – 10 and 13 – 17 have been amended with no new matter introduced.  
Additionally, claims 7, 12, and 18 have been cancelled.

As no new matter is introduced, acceptance of the claim amendments is respectfully  
requested.

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### **Claim Rejections – 35 USC 112**

Claims 7, 12, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being  
indefinite for failing to particularly point out and distinctly claim the subject matter which  
applicant regards as the invention.

20 **Response:**

Claims 7, 12, and 18 have been cancelled.

### **Claim Rejections – 35 USC 102**

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe et al., US  
25 Patent Publication 2002/0181356.

**Response:**

Claim 1

Applicant's Claim 1 defines that the common reading variables are stored in a first area of the variable memory and will not be replaced when a different type optical disk is accessed by the optical disk drive; in addition, other variables of different optical disks are stored in the same address of a second area in the variable memory. The applicant asserts that Watanabe's  
5 teaching fails to anticipate all of the limitations recited in claim 1.

On page 4, lines 17-18 of the Office action dated 07/05/2007, Examiner states that paragraphs 0132 and 0133 describe how the determination of type of disk, which includes drive configuration, is stored in the variable memory. More specifically, Watanabe discloses that the optical disc determination block 7 **compares the determination data** input from the  
10 servo circuit 39 **with a preset level** so as to determine the class and type of the optical disc 2 mounted on the optical disc apparatus 1 (paragraphs [0132]). Watanabe, however, fails to teach or suggest **storing the determination data, the preset level, or device configuration mentioned by Examiner into the variable memory.** (*emphasis added*) Note is made by the applicant that the determination of type of disk, in fact, requires the drive configuration  
15 information, and Watanabe's disclosure is silent on storing the drive configuration information into the variable memory (e.g., the element 300 or 400 shown in Watanabe Fig. 10). The applicant therefore asserts that the claimed limitation "storing **common reading variables** necessary for the optical disk drive to access the optical disk into a first area arranged **in the variable memory**" is neither taught nor suggested by Watanabe. (*emphasis*  
20 *added*)

Additionally, as admitted by Examiner that paragraph 0133 describes how the memory is reallocated based on the type of disk inserted into the drive, and the memory is changed from disk to disk. The applicant therefore points out that any common variable region, if exists, in Watanabe's variable memory 300 or 400 shown in Fig. 10 must be changed due to  
25 insertion of a new optical disc, which means that the common reading variables stored in the common variable region will be replaced when an optical disc is accessed. In short, Watanabe also fails to teach or suggest the claimed limitation "**the common reading variables** stored in the variable memory **will not be replaced when a different type optical disk is accessed** by

the optical disk drive”. (*emphasis added*)

In light of above reasons, the applicant asserts that the claimed features recited in Claim 1 are not anticipated by the prior art memory 300 and memory 400. Therefore, Claim 1 should be found patentable over the cited reference.

5     Claims 2 – 5

Claims 2 – 5 are dependent on Claim 1. As the applicant believes Claim 1 has been placed in a position for allowance, Claims 2 – 5 should also be found allowable.

Claim 6

10     Claim 6 includes limitations fully supported by the specification to further define the claimed feature “the common reading variables stored in the variable memory will not be replaced when a different type optical disk is accessed by the optical disk drive” in Claim 1. The applicant asserts the Claim 6 should be found patentable over the cited prior art. In addition, Claim 6 is dependent on Claim 1, and should be allowed if Claim 1 is found allowable.

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Claim 7

Claim 7 has been cancelled.

Claim 8

20     The amendments made to Claim 8 are similar to that of Claim 1. As Claim 8 is a method claim comprising similar limitations to Claim 1, except that Claim 8 specifies variable storage for DVD disk, either DVD-ROM or DVD-RAM. As the essential points of Claim 8 are the same as Claim 1, and the applicant believes Claim 1 has been placed in a position for allowance, Claim 8 should also be found allowable.

Claims 9 and 10

Claims 9 and 10 are dependent on Claim 8. As the applicant believes Claim 8 has been placed in a position for allowance, Claim 9 should also be found allowable.

Claim 11

- 5        For the reasons detailed under Claim 6, the applicant believes Claim 11 should be found allowable over the prior art. Furthermore, Claim 11 is dependent on Claim 8 and should be found allowable if Claim 8 is found allowable.

Claim 12

Claim 12 has been cancelled.

10    Claim 13

- The amendments made to Claim 13 are similar to that of Claims 1 and 8. As Claim 13 is a method claim comprising similar limitations to claims 1 and 8, except that Claim 13 specifies the variable storage for recordable optical disks. As the essential points of Claim 13 are the same as claims 1 and 8, and the applicant believes claims 1 and 8 have  
15    been placed in a position for allowance, Claim 13 should also be found allowable.

Claims 14 – 16

Claims 14 – 16 are dependent on Claim 13. As the applicant believes Claim 13 has been placed in a position for allowance, Claims 14 – 16 should also be found allowable.

Claim 17

- 20        Examiner states that the concept of having separate areas for separate control information is clearly taught in Watanabe Fig. 2 (page 8 of the Office action dated 07/05/2007). The applicant respectfully points out that Claim 17 is dependent upon

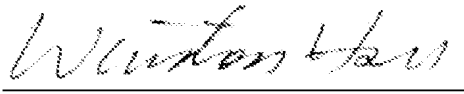
Claims 13 and 16, and the limitations of Claim 17 should be interpreted as: “reading variables and writing variables **of the same disk type** are separately stored at different addresses, i.e. memory regions, of the variable memory. Watanabe’s disclosure, however, is silent on categorizing the control information of the same optical disc into reading  
5 variables and writing variables. Note is made by the applicant that having separate areas for separate control information is not equivalent to storing the reading variables and writing variables **of the same disk type** separately. The applicant believes Claim 17 should be found allowable over the cited prior art. Additionally, Claim 17 is dependent upon Claim 13, and should be allowed if Claim 13 is found allowable.

10 Claim 18

Claim 18 has been cancelled.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

15 Sincerely yours,



Date: 10.05.2007

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Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C.  
25 is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)